

MINUTES, REGULAR MEETING
CITY COUNCIL, CITY OF LA CRESCENT, MINNESOTA
NOVEMBER 24, 2014

Pursuant to due call and notice thereof, the second meeting of the City Council of the City of La Crescent for the month of November was called to order by Mayor Mike Poellinger at 5:30 PM in the La Crescent City Hall, La Crescent, Minnesota, on Monday, November 24, 2014, followed by the Pledge of Allegiance.

Upon a roll call taken and tallied by the City Administrator, the following members were present: Members Bernie Buehler, Greg Husmann, Brian Krenz, Dale Williams and Mayor Mike Poellinger. Members absent: None. Also present was City Administrator Bill Waller and City Attorney Skip Wieser.

Mayor Poellinger asked if anyone wished to take action to change the agenda as presented. Due to Council packet going out one week early, City Administrator Waller requested to add #3.14 – Resolution Making Special Levies and #3.15 – Retirement Notices. Member William made a motion, seconded by Member Buehler, as follows:

A MOTION TO APPROVE AFOREMENTIONED ADDITION TO THE PRINTED AGENDA

Upon a roll call vote taken and tallied by the City Administrator, the following Members present voted in favor thereof, viz;

Bernie Buehler	Yes
Greg Husmann	Yes
Brian Krenz	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

ITEM 1 – CONSENT AGENDA

At this time, the Mayor read the following items to be considered as part of the Consent Agenda for this regular meeting:

- 1.1 MINUTES – NOVEMBER 10, 2014
- 1.2 BILLS PAYABLE THROUGH NOVEMBER 20, 2014

At the conclusion of the reading of the Consent Agenda, Mayor Poellinger asked if the Council wished to have any of the items removed from the Consent Agenda for further discussion. Member Krenz made a motion, seconded by Member Williams, as follows:

A MOTION TO APPROVE THE CONSENT AGENDA AS PRESENTED

Upon a roll call vote taken and tallied by the City Administrator, all Members present voted in favor thereof, viz;

Bernie Buehler	Yes
Greg Husmann	Yes
Brian Krenz	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

ITEM 3.0 – PETITION TO VACATE STREET RIGHT-OF-WAY

Jeff Wieser of Wieser Brothers reviewed information with City Council regarding their request to vacate a portion of Twilite Street. By vacating the street right-of-way, Wieser Brothers would be able to construct an approximate 4,000 square foot addition to their building. The addition would result in new tax base, and new job creation. As part of the process, Wieser Brothers are proposing to give the City a parcel of property they own on the east end of Strupp Avenue. This project was discussed in 2011, but was never finalized. The first step in the process is for the City Council to call for a public hearing. It was recommended to Council to call for a special City Council Meeting at 5:30 p.m. on Monday, December 15, 2014, for purposes of holding a public hearing on the proposed street vacation. The City will retain easements and access to utilities, along with access along the shore for development of a future trail. Attorney Wieser reviewed with City Council the process to vacate street right-of-ways. City Council also reviewed a number of maps and drawings regarding the request. Following discussion, Member Husmann made a motion, seconded by Member Krenz, as follows:

MOTION TO CALL FOR A SPECIAL CITY COUNCIL MEETING AT 5:30 P.M. ON MONDAY, DECEMBER 15, 2014, FOR PURPOSES OF HOLDING A PUBLIC HEARING ON THE PROPOSED STREET VACATION FOR A PORTION OF TWILITE STREET IN THE CITY OF LA CRESCENT.

Upon a roll call vote taken and tallied by the City Administrator, all Members present voted in favor thereof, viz;

Bernie Buehler	Yes
Greg Husmann	Yes
Brian Krenz	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

ITEM 3.1 – PLANNING COMMISSION MINUTES – NOVEMBER 5, 2014

Council reviewed the Planning Commission Minutes from the November 24, 2014 meeting. No action taken.

ITEM 3.2 – BOND CALL RESOLUTION

City Council reviewed information regarding the bond schedule for the Community Ice Arena project. No action will be taken on this issue due to the need to finalize agreements with Lancer Youth Hockey and the La Crescent School District prior to approving the bond call Resolution.

ITEM 3.3 – LIQUOR LICENSE RENEWALS

Council reviewed a listing presented at the meeting of the liquor license renewals for 2015. All licenses appear to be in order and it is recommended the City Council approve the licenses as presented and authorize that they be forwarded to the State of Minnesota. Following discussion, Member Buehler made a motion, seconded by Member Krenz, as follows:

MOTION TO APPROVE THE PRESENTED LIST OF LIQUOR LICENSE RENEWALS FOR 2015 FOR THE FOLLOWING AND AUTHORIZE THAT THEY BE FORWARDED TO THE STATE OF MINNESOTA:

**PUMP 4 LESS – OFF SALE
SCHMITTY’S TIMEOUT TAVERN – OFF SALE, ON SALE, SUNDAY
MINEGAR’S SPORTS HUB – OFF SALE, ON SALE, SUNDAY
APPLE VILLAGE LIQUOR – OFF SALE
AMERICAN LEGION – ON SALE AND SUNDAY**

Upon a roll call vote taken and tallied by the City Administrator, all Members present voted in favor thereof, viz;

Bernie Buehler	Yes
Greg Husmann	Yes
Brian Krenz	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

ITEM 3.4 – HIRING RECOMMENDATION – OFFICE ASSISTANT

It was recommended to City Council to approve the hiring of Angela Boettcher as the Office Assistant to fill the vacancy created by Debbie Oliver’s retirement. Pursuant to the provisions of the union contract, Ms. Boettcher would serve a six month probationary period and it was recommended she start at Step 4 in the salary schedule. Following discussion, Member Husmann made a motion, seconded by Member Williams, as follows:

MOTION TO APPROVE THE HIRING OF ANGELA BOETTCHER AS AN OFFICE ASSISTANT WITH A SIX MONTH PROBATIONARY PERIOD AND STARTING AT A STEP 4 IN THE SALARY SCHEDULE.

Upon a roll call vote taken and tallied by the City Administrator, all Members present voted in favor thereof, viz;

Bernie Buehler	Yes
Greg Husmann	Yes
Brian Krenz	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

ITEM 3.5 – POLICE SERGEANT RECOMMENDATION

City Administrator Waller gave an overview to City Council and Council reviewed a Memorandum from Doug Stavenau, Chief of Police, dated November 11, 2014 recommending an offer of promotion be extended to Officer Justin Thorson and Officer Luke Ahlschlager to fill the two approved Sergeant positions posted internally in the Police Department. In accordance with LELS Local #120 Contract, the two employees will serve a 12 month probationary period. Following discussion, Member Buehler made a motion, seconded by Member Krenz, as follows:

MOTION TO APPROVE AN OFFER OF PROMOTION BE EXTENDED TO OFFICER JUSTIN THORSON AND OFFICER LUKE AHSCHLAGER TO FILL THE TWO APPROVED SERGEANT POSITIONS IN THE LA CRESCENT POLICE DEPARTMENT AND IN ACCORDANCE WITH LELS LOCAL #120 CONTRACT, THE TWO EMPLOYEES SERVE A 12 MONTH PROBATIONARY PERIOD.

Upon a roll call vote taken and tallied by the City Administrator, all Members present voted in favor thereof, viz;

Bernie Buehler	Yes
Greg Husmann	Yes
Brian Krenz	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

ITEM 3.6 – MEDIATION AGREEMENT

City Attorney Wieser reviewed with City Council a mediation agreement regarding the upcoming mediation with Yaggy Colby and others regarding the radium facility. The mediation is scheduled for December 9, 2014 and it was recommended to Council to approve the agreement. Following discussion, Member Husmann made a motion, seconded by Member Buehler, as follows:

MOTION TO APPROVE THE AUTHORIZED EXECUTION OF THE MEDIATION AGREEMENT REGARDING CITY OF LA CRESCENT, ET AL. V. YAGGY COLBY ASSOCIATES, INC., ET AL. FOR MEDIATION SCHEDULED FOR DECEMBER 9, 2014.

Upon a roll call vote taken and tallied by the City Administrator, all Members present voted in favor thereof, viz;

Bernie Buehler	Yes
Greg Husmann	Yes
Brian Krenz	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

ITEM 3.7 – MONTE CARLO ROAD UPDATE

City Attorney Wieser gave an overview to City Council regarding Monte Carlo Road. No action taken.

ITEM 3.8 – MnDOT – COOPERATIVE AGREEMENT

City Administrator Waller reviewed with City Council a Cooperative Agreement with MnDOT, and Winona and Houston Counties, regarding the maintenance of the Old Highway 61 Trail which is being reconstructed as part of the I-90 bridge project. The City Council had previously agreed in concept to a previous agreement which allowed MnDOT to seek funding to reconstruct the trail. At that time the City and Counties agreed to cover the balance of the construction costs not covered by the grant that MnDOT was seeking. MnDOT was able to acquire all of the funds necessary to construct the trail, so there will be no local contribution required by the City or the Counties. This agreement covers the on-going maintenance of the trail. It was recommended to Council to approve in concept the agreement, and allow City staff to continue to work with MnDOT and the counties on finalizing the agreement. Following discussion, Member Buehler made a motion, seconded by Member Williams, as follows:

MOTION TO APPROVE IN CONCEPT THE COOPERATIVE AGREEMENT WITH MNDOT, WINONA COUNTY AND HOUSTON COUNTY REGARDING THE MAINTENANCE OF THE OLD HIGHWAY 61 TRAIL WHICH IS BEING RECONSTRUCTED AS PART OF THE I-90 BRIDGE PROJECT CONTINGENT UPON HOUSTON COUNTY AND WINONA COUNTY ALSO APPROVING THE COOPERATIVE AGREEMENT.

Upon a roll call vote taken and tallied by the City Administrator, all Members present voted in favor thereof, viz;

Bernie Buehler	Yes
Greg Husmann	Yes
Brian Krenz	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

ITEM 3.9 – CITY COUNCIL REPRESENTATIVE – PLANNING COMMISSION

It was recommended to City Council that a member of the City Council be appointed as an ex-officio member of the Planning Commission to fill the vacancy created by John Graf's resignation from the City Council. It was recommended to appoint Brian Krenz. Following discussion, Member Husmann made a motion, seconded by Member Buehler, as follows:

MOTION TO APPOINT BRIAN KRENZ AS AN EX-OFFICIO MEMBER OF THE PLANNING COMMISSION TO FILL THE VACANCY CREATED BY JOHN GRAF'S RESIGNATION FROM THE CITY COUNCIL.

Upon a roll call vote taken and tallied by the City Administrator, all Members present voted in favor thereof, viz;

Bernie Buehler	Yes
Greg Husmann	Yes
Brian Krenz	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

ITEM 3.10 – CHAMBER OF COMMERCE – WINTER PARADE

Council reviewed a request from the La Crescent Chamber of Commerce Christmas Committee to hold its annual Winter Parade beginning at 6:30 p.m. on Friday, December 12, 2014 to coincide with other Christmas in La Crescent activities. They have requested to have the line-up/tear down area be on Main Street between the blocks of Oak Street and Elm Street. The parade would start on Main and Oak Streets. It would proceed east on Main Street and would turn right onto Walnut Street and proceed south to S. 2nd Street. It would then turn right onto South 2nd Street and go west towards Oak Street. Finally, it would turn right on Oak Street and head north on Oak Street and end at the corner of Main and Oak. Parade participants would be directed to turn left onto Main Street for tear down. Following discussion, Member Buehler made a motion, seconded by Member Williams, as follows:

MOTION TO APPROVE THE LA CRESCENT CHAMBER OF COMMERCE’S REQUEST FOR A WINTER PARADE IN THE CITY OF LA CRESCENT ON DECEMBER 12, 2014 AT 6:30 P.M. AND ALSO THE ROUTE AS PRESENTED.

Upon a roll call vote taken and tallied by the City Administrator, all Members present voted in favor thereof, viz;

Bernie Buehler	Yes
Greg Husmann	Yes
Brian Krenz	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

ITEM 3.11 – 2015 GENERAL FUND BUDGET REVIEW

City Administrator Waller reviewed with City Council the proposed 2015 general fund budget. He noted there are two items in the capital equipment budget that could be shifted from the general fund budget to the capital equipment certificate. These items are the other half of the LEGT software and the three Police Department rifles. This would reduce the general fund budget by \$18,290.00. This would reduce the proposed increase from 4.8% to 4.0%. The Council will have the opportunity to consider this when the proposed budget and levy are considered at the December 8th City Council Meeting. No action taken.

ITEM 3.12 – ANNEXATION REVIEW/UPDATE

City Attorney Wieser gave a brief overview to City Council regarding the annexation of 32 Crescent Avenue and 100 Kinder Road properties. It was recommended to Council to approve the calling for a Public Hearing concerning the annexation of these properties, which also includes Houston County Road right-of-way. Following discussion, Member Husmann made a motion, seconded by Member Buehler, as follows:

MOTION TO CALL FOR A PUBLIC HEARING CONCERNING THE ANNEXATION OF THE PROPERTIES AT 32 CRESCENT AVENUE, 100 KINDER ROAD AND HOUSTON COUNTY ROAD RIGHT-OF-WAY TO BE HELD ON JANUARY 12, 2015 AT 5:35 P.M.

Upon a roll call vote taken and tallied by the City Administrator, all Members present voted in favor thereof, viz;

Bernie Buehler	Yes
Greg Husmann	Yes
Brian Krenz	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

ITEM 3.13 – CHAMBER OF COMMERCE REQUEST

City Council reviewed a request from Sarah Dohnalik of the La Crescent Chamber of Commerce to the City for assistance with tourism postage. This is similar to the request that the City Council approved in 2012 and 2013. There are funds in the discretionary portion of the City Council general fund budget to pay for this expense. Following discussion, Member Buehler made a motion, seconded by Member Williams, as follows:

MOTION TO APPROVE THE CONTRIBUTION OF \$1,500.00 FROM THE DISCRETIONARY PORTION OF THE CITY COUNCIL GENERAL FUND BUDGET TO THE LA CRESCENT CHAMBER OF COMMERCE AS REIMBURSEMENT FOR A PORTION OF THE FUNDS THE CHAMBER HAS SPENT ON TOURISM POSTAGE FOR THE CITY OF LA CRESCENT IN 2014.

Upon a roll call vote taken and tallied by the City Administrator, the following Members present voted in favor thereof, viz;

Bernie Buehler	Yes
Greg Husmann	Yes
Dale Williams	Yes
Mike Poellinger	Yes

Member Brian Krenz abstained from voting. The motion was declared duly carried by a 4-0 vote.

ITEM 3.14 – RESOLUTION MAKING SPECIAL LEVIES

Council reviewed a Resolution making special levies for the collection with Real Estate taxes payable in the Calendar Year 2015. Following discussion, Member Buehler introduced the following resolution and moved its passage and adoption:

RESOLUTION 11-14-26

RESOLUTION MAKING SPECIAL LEVIES FOR COLLECTION WITH REAL ESTATE TAXES PAYABLE IN THE CALENDAR YEAR 2015

BE IT RESOLVED by the City Council of the City of La Crescent, Minnesota as follows:

1. It is hereby found and determined and declared that the amounts set forth in a column at the right to be levied as a special assessment against the listed property and to be collected in the calendar year 2015 as provided by law.

HOUSTON CO. AUDITOR REF. NUMBER	PROPERTY OWNER	CITY ACCOUNT #	AMOUNT TO BE LEVIED IN 2015	CODE
25.0005.000	MEINEN HOLDINGS LLC	10300307	141.06	80
25.0264.000	KEVIN & KRISTI KNUTSON	11201901	451.13	80
25.0327.000	COLLINS, KATHLEEN	20103900	258.74	80
25.0327.000	COLLINS, KATHLEEN	20104001	584.38	80
25.0327.000	COLLINS, KATHLEEN	20104104	339.89	80
25.0482.001	TJE HOLDINGS LLC	20903313	566.68	80
25.0482.001	TJE HOLDINGS LLC	20903619	97.34	80
25.0623.000	NICHOLAS J & TRACY F BROWN	21303701	454.96	80
25.0604.000	RYAN MAHLUM	30107501	414.54	80
25.1257.003	WILLIAM KISTLER	30301703	158.74	80
25.9042.000	WILLIAM KISTLER	30307301	279.63	80
25.1257.002	SUE WARNKE-LASKA	30400200	399.40	80
25.1261.005	PAUL DAWSON	30507105	319.51	80
25.1109.000	PAUL WAGNER	30602500	931.75	80
25.1104.000	DEBORAH CLARKIN	30702103	1,193.37	80
25.1003.000	WILLIAM J. & MAUREEN A KRATT	30807401	107.82	80
25.1266.003	THOMAS M & LYNN M TRANE	31000302	291.44	80
25.1266.009	M&W INVESTMENT PROPERTIES, LLC	31000802	242.53	80

HOUSTON CO. AUDITOR REF. NUMBER	PROPERTY OWNER	CITY ACCOUNT #	AMOUNT TO BE LEVIED IN 2015	CODE
25.0657.000	JACQUELINE GERKE- EDWARDS	40119902	91.21	80
25.0885.000	ROSE MARIE KUHLMAN	HARTER'S	218.96	80

\$7,543.08

ADOPTED this 24th day of November, 2014.

SIGNED:

Mayor

ATTEST:

City Administrator

The motion for the adoption of the foregoing resolution was duly seconded by Member Krenz and upon a roll call vote taken and tallied by the City Administrator, all Members present voted in favor thereof, viz;

Bernie Buehler	Yes
Greg Husmann	Yes
Brian Krenz	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried and the resolution duly passed and adopted.

ITEM 3.15 – RETIREMENT NOTICES

The City has received letters from the following regarding retirement notices:

- Barbara Gile – Police Administrative Secretary – effective December 31, 2014
- Debra Oliver – Office Assistant – effective December 31, 2014

It was recommended to Council to adopt a separate motion to accept each retirement. Following discussion, the following Motions were made:

Member Buehler made a motion, seconded by Member Krenz, as follows:

MOTION TO ACCEPT THE RETIREMENT OF BARBARA GILE AS POLICE ADMINISTRATIVE SECRETARY EFFECTIVE DECEMBER 31, 2014.

Upon a roll call vote taken and tallied by the City Administrator, all Members present voted in favor thereof, viz;

Bernie Buehler	Yes
Greg Husmann	Yes
Brian Krenz	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

Member Williams made a motion, seconded by Member Buehler, as follows:

**MOTION TO ACCEPT THE RETIREMENT OF DEBRA OLIVER AS OFFICE ASSISTANT
EFFECTIVE DECEMBER 31, 2014.**

Upon a roll call vote taken and tallied by the City Administrator, all Members present voted in favor thereof, viz;

Bernie Buehler	Yes
Greg Husmann	Yes
Brian Krenz	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

ITEM 8 – CHAMBER OF COMMERCE

Sarah Dohnalik of the La Crescent Chamber of Commerce gave an update of the upcoming Christmas activities and an upcoming flyer for May projects within the City.

There being no further business to come before the Council at this time, Member Williams made a motion, seconded by Member Krenz, to adjourn the meeting. Upon a roll call vote taken and tallied by the City Administrator, all Members voted in favor thereof, viz;

Bernie Buehler	Yes
Greg Husmann	Yes
Brian Krenz	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried and the meeting duly adjourned at 5:59 PM.

APPROVAL DATE: _____

SIGNED:

Mayor

ATTEST:

City Administrator